BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Continue Implementation and Administration of California Renewables Portfolio Standard Program.

Rulemaking 08-08-009 (Filed August 21, 2008)

AUGUST 2009 COMPLIANCE REPORT OF MOUNTAIN UTILITIES' (U 906-E) PURSUANT TO THE CALIFORNIA RENEWABLES PORTFOLIO STANDARD AND REQUEST FOR WAIVER

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I. INTRODUCTION

Mountain Utilities (MU) hereby submits to the Energy Division (ED) of the California Public Utilities Commission and to the interested parties in Rulemaking 08-08-009 its August 2009 Compliance Report (RPS Report).

II. COMPLIANCE FILING

Current information on MU's biodiesel renewable efforts is included herein. Biodiesel generation by a utility using its own generation plant facilities is a pioneering effort, unique to MU. As such, there are operational and other challenges that take time to resolve.

MU also has included a request for waiver and deferral of any penalties based upon this RPS Report. MU has no connection to any transmission grid, including the California transmission grid managed by the California Independent System Operator (CAISO). In addition, MU's service territory, in the High Sierra near Lake Tahoe, is subject to severe inclement weather suitable to extraordinary recreational activity, but hospitable to very few reliable means of generation.

Most of MU's 700 customers are seasonal, time share, and part time residents. There are also a few full time residents and small commercial customers. The single large customer is the Kirkwood Resort, with energy requirements for its ski lifts and snow

making operations. MU uses five diesel generators with a combined total generation capacity of approximately 5 MW to serve the Kirkwood Resort and other customer requirements that peak in the winter.

MU has presented in this Rulemaking and prior proceedings its intent to investigate two means of satisfying its RPS obligations.

One approach would be the use of a diesel fuel mix of regular diesel and 20% biodiesel (B20) for full year use. Alternatively, MU may be able to use a 100% biodiesel fuel (B100) during the summer month with some of its more adaptable generation units. MU has pursued these alternatives by obtaining a pre-certification from the California Energy Commission and has obtained WREGIS membership. As MU has investigated this alternative, certain operational difficulties have become apparent that require resolution before this method can be implemented. There are differences in heating value of regular and biodiesel fuel, as well as gelling characteristics at low temperatures. Finding a supplier that can provide Federal Renewable Information Numbers that identify the cellulosic origination of the biodiesel is also a concern. Recovery of biodiesel expenses and fuel costs remain to be formulated, requested and approved.

The other alternative would be to purchase Tradable Renewable Energy Credits (TRECs). A proposed decision to implement TREC use has been issued in Rulemaking 06-02-012 and parties have submitted comments and reply comments. However, at this time, a final decision has not been adopted by the CPUC. Absent some assurance of the level of TRECs that MU may use or the price that could be paid, MU sees little opportunity to satisfy requirements from this source in a timely manner.

The Energy Division Compliance Report Template indicates on the Accounting Worksheet that "Potential Penalty may be deferred or waived if LSE provides allowable reasons and/or uses flexible compliance". Further, on the Summary Worksheets, the reasons supporting deferral or waiver are stated as follows:

Any supplemental materials should state each reason asserted in support of deferral or waiver of penalty, consistent with allowable reasons for non-compliance listed below. (D.03-12-065, D.03-06-071, D.06-10-050 and Public Utilities Code Section 399.14(a)(2)(C)(ii).).)

[Insufficient response to RFO, Contracts already executed will provide future deliveries sufficient to satisfy current year deficits, Inadequate public goods funds to cover above-market costs, Seller non-performance, Lack of effective competition, Deferral promotes ratepayer interests and RPS objectives, Showing of good cause, Insufficient transmission]

Mountain Utilities is not connected to any transmission system and is not part of the CAISO control area. It has its own unique and isolated service territory in the High Sierra and serves all load by generation from five diesel generators. While MU has not expended its limited resources in issuing an RFO which would be fruitless, at this time no competitive party could provide Renewable energy to MU. Moreover, not only does MU have insufficient transmission, it has NO transmission.

MU urges the Commission to recognize that these reasons are easily as compelling as those set forth in the Summary Worksheet as justifying deferral and waiver of penalties and therefore respectfully requests that MU be granted such deferral and waiver.

With regard to obtaining Renewables credits by virtue of purchasing Tradable Renewable Energy Credits (TRECs), MU notes that the TRECs market is still in the formative stages, with legislation in progress and Commission Decisions in abeyance. Rational planning based upon such a resource is problematic at this time.

III. CONCLUSION

As indicated above, MU is intent upon satisfying its Renewables obligations, but the circumstances attendant upon this effort have made current and even near-term compliance problematic. Therefore, MU believes that any apparent penalty is inappropriate to its circumstances and requests a deferral and waiver of any such penalties.

Dated: August 5, 2009

Respectfully submitted

John Dutcher – V.P. Regulatory Affairs

John Wutcher

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Continue

Implementation and Administration of California

Renewables Portfolio Standard Program.

Rulemaking 08-08-009 (Filed August 21, 2008)

Mountain Utilities'

August 2009 SEMI-ANNUAL COMPLIANCE REPORT PURSUANT TO THE CALIFORNIA RENEWABLES PORTFOLIO STANDARD

Aug. 5, 2009 Name: John Dutcher

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CALIFORNIA'S RENEWABLES PORTFOLIO STANDARD

Reporting and Compliance Worksheet Instructions

- California's RPS Program requires Investor Owned Utilities (IOU), Multi-Jurisdictional Utilities (MJU), Electric Service Providers
 (ESP), and Community Choice Aggregators (CCAs) to file a minimum of two reports each year illustrating performance within the
 program. Parties may refer to the November 20, 2008 Assigned Commissioner Ruling Addressing Process Issues Relative to
 RPS Compliance Reports for more information.
 - > The March 1 report (with updates after the California Energy Commission (CEC) verifies procurement, as needed) is used by the Commission to determine compliance for the prior year(s). This report states historic performance in the RPS program, current year targets and procurement data, and forecasts targets and procurement data for at least three years (Decision (D.) 06-10-050, page 45, 49).
 - > The August 1 report states historic performance in the RPS program, current year targets and procurement data, and forecasts targets and procurement levels for each year forward through 2020 (D.06-10-050, page 45, 51). The August report may be used by the Commission to make a final determination of compliance for the prior year(s).
- 2. Any load serving entity (LSE) seeking confidentiality protection should file a declaration. Confidentiality requests shall comply with the substantive and procedural rules set forth in D.06-06-066, as modified by D.08-04-023, the Commission's decision in its Confidentiality proceeding, Rulemaking (R.) 05-06-040, and any subsequent decisions issued in the same or successor proceeding. A declaration for confidentiality should include the identification of all redacted information by tab name and cell reference, not to be confused with the line numbers provided in the Accounting tab.
- 3. RPS compliance reports will be submitted to the Commission as specified below:
 - > Serve a public version on the service list in proceeding R.08-08-009. All pages must be legible. LSEs are responsible for maintaining confidentiality when serving a redacted report.
 - > File a confidential version with the Energy Division by e-mailing an electronic version to ab1@cpuc.ca.gov and svn@cpuc.ca.gov
 - > Send paper copies (confidential and public) to each of the assigned Administrative Law Judges (ALJs):

Burton W. Mattson and Anne E. Simon California Public Utilities Commission 505 Van Ness Avenue San Francisco, CA 94102

- Any questions regarding the completion and/or filing of this report can be directed to: Amy Baker, Energy Division, California Public Utilities Commission: ab1@cpuc.ca.gov, (415) 703-1691
- 5. Include the Title Page and fill out the following information:
 - > Name of the LSE filing the Report
 - > Date the Report is being filed
 - > Contact information
- 6. Complete the Officer Verification Form in the format provided (Rule 1.11)
- 7. Yellow cells throughout the spreadsheet indicate user supplied data by the LSE where and when applicable.
- All data must be entered in MWh out to three decimal points to accurately account for retail sales, procurement and targets. The spreadsheet will display MWh throughout. Do not round any reporting data, as this may trigger some cells to turn red.
- The spreadsheet included in this report has locked cells to ensure that targets, procurement and penalties are accurately calculated and reported from the data provided by the user. An unprotected version of the spreadsheet is also available by request.
- 10. Line #s in the "Accounting" tab hyperlink to the "Calculations" tab, which provides additional information on the particular line item or section of the "Accounting" tab.

- 11. The "Summary" tab is linked to the "Accounting" tab and "Procurement Detail" tab, no data entry is required.
- 12. If the LSE determines that additional information is required in order to present a full and complete report, mark the box provided on the "Summary" tab. Any additional information should support the LSE's claim within the guidelines of the eight allowable reasons for noncompliance. Furthermore, please state anything else the filing LSE believes is necessary for a full and complete reporting to the Commission in order to allow an informed decision on compliance. This may include, for example, footnotes and other explanatory information as necessary and reasonable.

| ACCO | UNTING T | AB |
|------|----------|----|

- 13. Begin by entering the relevant data for Lines 1-3, this will calculate the LSE's Baseline Procurement Amount. Enter actual and forecasted sales figures to generate Incremental Procurement Targets (IPTs) and Annual Procurement Targets (APTs).
- 14. In deficit years, the spreadsheet calculates what portion of the deficit is eligible for IPT deferral and earmarking. The user records how they elect to treat the deficit(s) in the relevant sections, including using surplus procurement. The spreadsheet

calculates the allowable IPT deferral and Earmarking amount through 2020.

EARMARKING DETAIL TAB

15. Enter information for contracts that are eligible for earmarking and are being used for flexible compliance purposes. Data populates the earmarking section in the "Accounting" tab. LSEs should including power purchase agreements used for earmarking with their compliance filings, so Energy Division may verify eligibility. If the LSE has provided the power purchase agreement in a prior report or filing, it does not need to be provided again.

PROCUREMENT DETAIL TAB

- 16. Procurement Summary: Total RPS Eligible Procurement is differentiated by three categories, existing and or signed contracts, short-listed/under negotiation/pending approval, and generic future contracts. This section is populated by completing the Contract Detail section below. If the LSE has entered into contracts that are short-term or with existing facilities but cannot meet its Annual Minimum Contracting Requirement, then deliveries from those contracts may not be used for compliance in any year (D.07-05-028).
 - > Annual Contracting Quota Requirement: LSEs must enter into long-term contracts or contracts with new facilities for energy deliveries equivalent to at least 0.25% of that LSE's prior years' retail sales, if it intends to use deliveries from short-term contracts and/or existing facilities, for RPS compliance purposes. LSEs must submit supporting documentation proving that the requirement has been met (i.e. a power purchase agreement for a long-term and/or new contract). If the LSE has provided the power purchase agreement in a prior report or filing, it does not need to be provided again.
 - Contracts are differentiated by Contract term-length and type (row 15:16). All deliveries from "long-term and/or new" are automatically entered into "Cumulative Surplus Contracting Quota Bank" (row 19) and the user must input the MWh in row 18 that the LSE needs to comply with the Annual Contracting Quota Requirement, if necessary.
- 17. RPS Eligible Procurement by Resource Type: This report must state the amount procured or projected to be procured from each resource type (D.05-07-039, Appendix A, D.06-10-050, page 47-48). This information is reported in rows 25-38 in the "Procurement Detail" tab and populated by completing the "Contract Detail" section.
- 18. <u>Contract Detail:</u> For each contract, enter actual and forecasted delivery data throughout the contract term. Do not assume that an expiring contract will be renegotiated.
 - > Pre-2002 Contracts: Input total annual deliveries by resource type
 - > 2002-Present years' Contracts: List contracts by name, annual deliveries (MWh), project status, facility status and resource type.
 - > 2005-Present years' Contracts: In addition to the requirements above, contracts from these years should be identified by term-length, short-term (less than 10 years) and long-term, as well as, by type, existing or new (defined below). 2005 and 2006 contracts that were signed prior to 2007 can be identified as "n/a" for this purpose.
 - "Contract Length / Type" (Column "X") Pursuant to D.07-05-028, starting in 2007, each RPS-obligated LSE must, in order to be able to count for any RPS compliance purpose energy deliveries from contracts of less than 10 years' duration ("short-term") with RPS-eligible facilities that commenced commercial operation prior to January 1, 2005 ("existing facilities"), in each calendar year enter into contracts with facilities of at least 10 years' duration ("long-term") and/or short-term contracts with facilities that commenced commercial operation on or after January 1, 2005 ("new facilities") for energy deliveries equivalent to at least 0.25% of that LSE's prior year's retail sales ("minimum quantity").
 - "Contract Volume" (Column "Y") Input the total MWh over the term of the contract identified in the power purchase agreement. Compliance with the minimum quota requirement is measured by contracted-for-energy, not deliveries.
 - > "Generic Future Contracts": Input total forecasted annual deliveries by resource type
 - > "Expired Contracts": Any contract expiring prior to 2020 should be listed in this section. User should identify expired contract by name and input annual deliveries (MWh) in the first year the contract is no longer delivering for the LSE (per existing contract) and in every year thereafter. For example, if a contract with annual deliveries of 10,000 MWh expired 12/31/2007, user should enter 10,000 MWh in 2008 and in every year thereafter. If this same contract expired 6/30/2007, user should enter 5,000 MWh in 2007 and 10,000 in every year thereafter. If an expired or expiring contract is re-signed, remove contract information from "Expired Contracts" section and enter it under the appropriate contracting year, as you would for any other contract.
- 19. In the "Contract Status" column, "short-listed and/or under negotiation" is an option; use the short-listed option only for projects for which the LSE has a high level of confidence that a contract will be executed.
- 20. If any procurement data for a specific contract differs from what is entered into the CEC-RPS-Track form for that year, the specific cell should be highlighted and the discrepancy should be explained.

Spreadsheet user notes

- > Protecting confidential data: Individual cells may be formatted black, which will serve to redact info when excel file is converted to pdf. Select cell click on "fill color" icon choose black. Note: Once converted to pdf, additional steps are necessary to ensure redacted data is not accessible.
- > Adding and/or deleting rows. The "Earmarking Detail" tab and "Procurement Detail" tab allows users to add to or delete rows. Within the desired section, highlight entire row(s) by selecting the excel row number(s) right click and select "copy" right click again and select "insert copied cells"

RPS Compliance Report: Summary

| Mountain Utilities' | 2007 |
|---------------------|------|
| Aug. 5, 2009 | |

| RPS Summary Report | MWh | % |
|--------------------------------------|---|------|
| Prior Year Total Retail Sales | 6,913 | |
| Annual Procurement Target (APT) | 372 | 5.4% |
| Total RPS Eligible Procurement | 0 | 0.0% |
| Annual Procurement Surplus/(Deficit) | ual Procurement Surplus/(Deficit) (372) | |
| Adjusted Procurement Percentage* | | 4.2% |

* 'Adjusted Procurement Percentage' includes flexible compliance as proposed by the LSE, it is not necessarily used to determine compliance.

| RPS Eligible Procurement | MWh | % |
|--------------------------------|-----|------|
| Biomass | 0 | 0.0% |
| Digester Gas | 0 | 0.0% |
| Biodiesel | 0 | 0.0% |
| Landfill Gas | 0 | 0.0% |
| Muni Solid Waste | 0 | 0.0% |
| Biopower Subtotal | 0 | 0.0% |
| Geothermal | 0 | 0.0% |
| Small Hydro | 0 | 0.0% |
| Conduit Hydro | 0 | 0.0% |
| Solar PV | 0 | 0.0% |
| Solar Thermal | 0 | 0.0% |
| Wind | 0 | 0.0% |
| Ocean/Tidal | 0 | 0.0% |
| Fuel Cells | 0 | 0.0% |
| Total RPS Eligible Procurement | 0 | 0.0% |

| Flexible Compliance | MWh |
|----------------------------|-----|
| IPT Deferral | 291 |
| Earmarking | 0 |
| Banked Procurement Applied | 0 |
| Total Flexible Compliance | 291 |

| Deficits and Penalties | 2007 |
|--|----------|
| Preliminary Procurement (Deficit) | (372) |
| Adjusted Annual Procurement Deficit | (372) |
| Adjusted Deficit Deferred | 291 |
| Potential Penalty | \$18,584 |
| Current Penalty (with flexible compliance) | \$4,034 |

** Potential Penalty is calculated based on 'Adjusted Annual Procurement Deficit' and may be deferred or waived if LSE provides allowable reasons and/or uses flexible compliance.

| Check box (x) if LSE is including supplemental materials necessary for a full and complete report (include |
|--|
| attachments as needed). |

 Any supplemental materials should state each reason asserted in support of deferral or waiver of penalty, consistent with allowable reasons for non-compliance listed below. (D.03-12-065, D.03-06-071, D.06-10-050 and Public Utilities Code Section 399.14(a)(2)(C)(ii).).)

[Insufficient response to RFO, Contracts already executed will provide future deliveries sufficient to satisfy current year deficits, Inadequate public goods funds to cover above-market costs, Seller non-performance, Lack of effective competition, Deferral promotes ratepayer interests and RPS objectives, Showing of good cause, Insufficient transmission]

 If stating earmarked contracts as a reason for a temporary deferral, make sure contract names and planned energy deliveries match what is listed in Earmarking Detail and Procurement Detail tabs.

RPS Compliance Report: Summary

| Mountain Utilities' | 2008 |
|---------------------|------|
| Aug. 5, 2009 | |

| RPS Summary Report | MWh | % |
|--------------------------------------|----------------|------|
| Prior Year Total Retail Sales | 8,493 | |
| Annual Procurement Target (APT) | 457 | 5.4% |
| Total RPS Eligible Procurement | 0 | 0.0% |
| Annual Procurement Surplus/(Deficit) | Deficit) (457) | |
| Adjusted Procurement Percentage* | | 0.2% |

* 'Adjusted Procurement Percentage' includes flexible compliance as proposed by the LSE, it is not necessarily used to determine compliance.

| RPS Eligible Procurement | MWh | % |
|--------------------------------|-----|------|
| Biomass | 0 | 0.0% |
| Digester Gas | 0 | 0.0% |
| Biodiesel | 0 | 0.0% |
| Landfill Gas | 0 | 0.0% |
| Muni Solid Waste | 0 | 0.0% |
| Biopower Subtotal | 0 | 0.0% |
| Geothermal | 0 | 0.0% |
| Small Hydro | 0 | 0.0% |
| Conduit Hydro | 0 | 0.0% |
| Solar PV | 0 | 0.0% |
| Solar Thermal | 0 | 0.0% |
| Wind | 0 | 0.0% |
| Ocean/Tidal | 0 | 0.0% |
| Fuel Cells | 0 | 0.0% |
| Total RPS Eligible Procurement | 0 | 0.0% |

| Flexible Compliance | MWh |
|----------------------------|-----|
| IPT Deferral | 21 |
| Earmarking | 0 |
| Banked Procurement Applied | 0 |
| Total Flexible Compliance | 21 |

| Deficits and Penalties | 2000 |
|--|----------|
| Delicits and Ferialities | 2008 |
| Preliminary Procurement (Deficit) | (457) |
| Adjusted Annual Procurement Deficit | (457) |
| Adjusted Deficit Deferred | 21 |
| Potential Penalty | \$22,830 |
| Current Penalty (with flexible compliance) | \$21,780 |

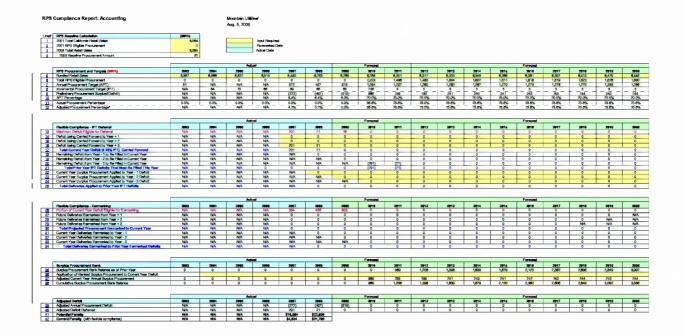
** Potential Penalty is calculated based on 'Adjusted Annual Procurement Deficit' and may be deferred or waived if LSE provides allowable reasons and/or uses flexible compliance.

| Check box (x) if LSE is including supplemental materials necessary for a full and complete report (include |
|--|
| attachments as needed). |

 Any supplemental materials should state each reason asserted in support of deferral or waiver of penalty, consistent with allowable reasons for non-compliance listed below. (D.03-12-065, D.03-06-071, D.06-10-050 and Public Utilities Code Section 399.14(a)

[Insufficient response to RFO, Contracts already executed will provide future deliveries sufficient to satisfy current year deficits, Inadequate public goods funds to cover above-market costs, Seller non-performance, Lack of effective competition, Deferr

 If stating earmarked contracts as a reason for a temporary deferral, make sure contract names and planned energy deliveries match what is listed in Earmarking Detail and Procurement Detail tabs.



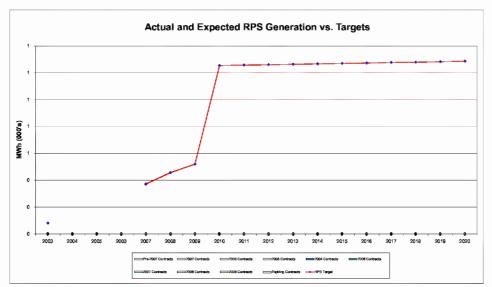
Input Required Mountain Utilities
Forecasted Data Aug. 5, 2009
Actual Data

| | | | A. | tuel | | | Forecast | | Forecast: | | | | | | | | |
|-----------------------------|------------------------------|------|------|------|------|------|----------|------|-----------|------|------|------|------|------|------|------|---|
| Total Annual E | 2005 | 2008 | 2007 | 2008 | 2008 | 2016 | 2011 | 2012 | 2013 | 2014 | 2015 | 2018 | 2017 | 2018 | 2018 | 2020 | |
| | Contracted Generation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Withdrawal from Current Year | ŏ | ŏ | 0 | i i | ň | ň | 0 | 0 | ň | 0 | o o | ň | ň | ň | ň | ň |
| | Allocated to Year - 1 | N/A | N/A | N/A | i i | ŏ | ŏ | ő | ŏ | l ö | ő | ŏ | ŏ | i i | Ö | ŏ | ŏ |
| | Allocated to Year - 2 | N/A | N/A | N/A | N/A | 6 | ŏ | 0 | 0 | 6 | 0 | ŏ | 0 | I % | 0 | 0 | 0 |
| | Allocated to Year - 3 | N/A | N/A | N/A | N/A | N/A | | | ١ ، | | | | | l , | | , | |
| | Allocated to Year - 3 | N/A | N/A | N/A | N/A | N/A | 0 | 0 | | 0 | 0 | 0 | | | 0 | | 0 |
| | | | | | | | | | | | | | | | | | |
| Contract Name | Contracted Generation | | | | | | | | | | | | | | | | |
| ligible for [YEAR] deficit | Withdrawal from Current Year | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Allocated to Year - 1 | N/A | N/A | N/A | | | | | | | | | | | | | |
| | Allocated to Year - 2 | N/A | N/A | N/A | N/A | | | | | | | | | | | | |
| | Allocated to Year - 3 | N/A | N/A | N/A | N/A | NA | | | | | | | | | | | 1 |
| Contract Name | Contracted Generation | | | | | | | | | | | | | | | | |
| Eligible for [YEAR] deficit | Withdrawal from Current Year | ١ ٥ | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Allocated to Year - 1 | N/A | N/A | N/A | | | | | | | | | | | | | |
| | Allocated to Year - 2 | N/A | N/A | N/A | N/A | | | | | | | | | | | | 1 |
| | Allocated to Year - 3 | N/A | N/A | N/A | N/A | N/A | | | | | | | | | | | 1 |
| Contract Name | Contracted Generation | 140 | INA | IND | 140 | INA | | | | | | | | | | | |
| Eligible for [YEAR] deficit | Withdrawal from Current Year | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| caldings on Lacked gason | Allocated to Year - 1 | N/A | N/A | N/A | | · · | U | U | | | U | U | U | | U | · | |
| | Allocated to Year - 2 | N/A | N/A | N/A | N/A | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | 1 |
| | Allocated to Year - 3 | N/A | N/A | N/A | N/A | NA | | | | | | | | | | | |
| Contract Name | Contracted Generation | | | | | | | | | | | | | | | | |
| Bligible for [YEAR] deficit | Withdrawal from Current Year | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Allocated to Year - 1 | N/A | N/A | N/A | | | | | | | | | | | | | |
| | Allocated to Year - 2 | N/A | N/A | N/A | N/A | | | | | | | | | | | | 1 |
| | Allocated to Year - 3 | N/A | N/A | N/A | N/A | N/A | | | | | | | | | | | |
| Contract Name | Contracted Generation | | | | | | | | | | | | | | | | |
| Eligible for [YEAR] delicit | Withdrawal from Current Year | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Allocated to Year - 1 | N/A | N/A | N/A | | | | | | | | | | | | | |
| | Allocated to Year - 2 | N/A | N/A | N/A | N/A | | | | | | | | | | | | 1 |
| | Allocated to Year - 3 | N/A | N/A | N/A | N/A | NA | | | | | | | | | | | 1 |
| Contract Name | Contracted Generation | 147 | 1471 | 147 | 1471 | 1471 | | | | | | | | | | | |
| Eligible for [YEAR] delicit | Withdrawal from Current Year | 0 | 0 | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| magazin or [1 mily descrit | Allocated to Year - 1 | N/A | N/A | N/A | | | | | | | | | | | | | |
| | Allocated to Year - 2 | N/A | N/A | N/A | NA | | | | | | | | | | | | |
| | Allocated to Year - 3 | N/A | N/A | N/A | N/A | NA | | | | | | | | | | | 1 |
| Contract Name | Contracted Generation | N/A | NA | N/A | N/A | NA | | _ | | | _ | | | | _ | | |
| | | | | l . | | | | | | | | | | | | | |
| Eligible for [YEAR] delicit | Withdrawal from Current Year | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Allocated to Year - 1 | N/A | N/A | N/A | | | | | | | | | | | | | |
| | Allocated to Year - 2 | N/A | N/A | N/A | N/A | | | | | | | | | | | | |
| | Allocated to Year - 3 | N/A | N/A | N/A | N/A | N/A | | | | | | | | | | | |
| Contract Name | Contracted Generation | | | | | | | | | | | | | | | | |
| Eligible for [YEAR] delicit | Withdrawal from Current Year | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Allocated to Year - 1 | N/A | N/A | N/A | | | | | | | | | | | | | |
| | Allocated to Year - 2 | N/A | N/A | N/A | N/A | | | | | | | | | | | | |
| | Allocated to Year - 3 | N/A | N/A | N/A | N/A | N/A | | | | | | | | | | | |
| Contract Name | Contracted Generation | | | | | | | | | | | | | | | | |
| Eligible for IYEARI deficit | Withdrawal from Current Year | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Allocated to Year - 1 | N/A | N/A | N/A | | | | | | | | | _ | | | | |
| | Allocated to Year - 2 | N/A | N/A | N/A | N/A | | | | | | | | | | | | |
| | Allocated to Year - 3 | N/A | N/A | N/A | N/A | NA | | | | | | | | | | | |
| Contract Name | Contracted Generation | NVA | .48 | - NA | .48 | .wa | | | | | | | | | | | |
| Eligible for [YEAR] deficit | Withdrawal from Current Year | | 0 | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| CHRONO DE LENNIN CONCE | Allocated to Year - 1 | N/A | N/A | N/A | , | | U | U | | 0 | U | U | U | , | U | U | U |
| | | | | | | | | | | | | | | | | | |
| | Allocated to Year - 2 | N/A | N/A | N/A | NA | | | | | | | | | | | | |
| | Allocated to Year - 3 | N/A | N/A | N/A | N/A | NA | | | | | | | | | | | |

| 3 Compiliance Report: Procurement I | | | Forecast Actual In | ed Date | | 5 1000 S 1000 | | | | | | | | | | | | | | | | | |
|---|--------|--------------|-----------------------|-----------|--------|------------------|------------|-------|--------------|------------|----------|------------------|-----------------|------------------|---------------|---------------|---------|---------|----------------|---|----------------|--|--|
| | | | | otal Min | | | | | Forecast MAN | | | | | | Forecast 1889 | | | _ | | | | | |
| Programmy Summery tel 1998 Rightle Programmy | 3000 | 2004 | 300 | 300 | • | 3007 | 2000 | 2000 | 220 | 1,466 | 140 | 104 | 3914 1,657 | 39-98 (1)1-1 | 3919 1,010 | 3917 1,050 | (88) | 1,000 | 1160 | | | | |
| g ander Staned Contracts | - 8- | 0- | - 8 | 0- | - + - | 8 | 8 - | -0- | 0 - | | - 8 - | - 0 | - 0- | -0- | - 8 - | - 8 - | - 0 | - 0- | | 1 | | | |
| | NA. | NAM. | 0 | - 0 | | 0 | 0 | 106 | 2,295 HFA | 1,400 | 140 | 1,004 | 1,607 | 1,011 N/A | 1,ptp | 1,070 | 1,6P3 | 1,690 | 1,080 | - | | | |
| Contracting Guide Resolvement Contracting large and or new facilities | | NAX | 100 | - 180 | | 7 - | 1 | -80- | | | | | | | | | | | | 1 | | | |
| Contracts: short-term with entering facilities a Contracting Cures frank se of Prior Year | - WA | NA. | 1 148 | _ I _ 186 | | 8 1 | - | -6- | 1 | L | | 1 | | 1 | | | | | 1 | + | | | |
| ort Year / Berkod lithih Applied to Annual Quote who Surplus Contracting Quote Blank mum Annual Contracting Quote Bharthill | - MA | NA. | - K | _ = 185 | + + | | 8 - | - 0- | + | | | | | + | | | | + | + | | | | |
| | N/A | - | 14A | N/ON. | | MR. | NEA | NA | | | | | | | | | | | | - | | | |
| PB Flightle Programment By Resource Type | 2000 | 2004 | 2000 | 300 | • | 0 | 2000 | 2000 | 2010 | 3911 | 29-10 | 30-10 | 2014 | 299 | 2010 | 30·17 | 39-19 | 39-19 | 2008 | | | | |
| No. See | - 0 | | 0 | - 0 | - + : | 0 | 0 | 100 | 2225 | - 4- | - 4 | 1,004 | 1,007 | 1011 | - 2 | - 4 | 1,023 | 0,000 | T | 1 | | | |
| T OH | 1 = 1= | I = 0 | 上章 | _i _ o | | ğ _ i_ | 0 = | - 0 | 1 20 | L 37 | 1 | i _ 0_ | 0 | 1 1 T | L 1 = | 100 | i = 0 | 0 | _ 3080 | 1 | | | |
| Total Street | _ 6_ | · | | _1 | _ I . | ě ! | <u></u> | _106 | 2 20% | L 190_ | 149 | 1.004 | 1.007 | 1 1011_ | 1,016 | 189 | 1.003 | 1.000 | 1,000_ | | | | |
| d Heles | | | _ 0 | -; - 8 | - + - | å = : | i = | _ 6_ | ‡ ≓ = | 1 1 | | | - 8- | : 3 = | - 1 - | 0 | | = = == | ∓ = ₹ = | | | | |
| d Hydro duk Hydro g DV | | = = := | - 1 | | | 1 - | | - 6- | | | | | | | = 3 = | 0 | | | | | | | |
| 1000 | = = | □ = <u></u> | _ <u>₹</u> | = = 6 | _ I | 4 = = | <u>*</u> = | - 6- | I ≓ = | | | - 6 | □ = <u> </u> = | I ⊒i ⊑ | ㄷ ‡ = | 5 | | _ = = | Ξ∄Ξ | | | | |
| d mr/fleur (Gelfe | 1 | | 1 1 | -1 - 8- | - T | 6 - | 8 | - 6- | T - 6 - | F # - | - * - | 1 6 | - 6- | T - 1 - | - 1 - | - + - | 1 - 6 | - 6- | T - i - | - | | | |
| *** | | | | | | | | | | | | | | | | | | | | Contract Status | FeeBy Roos | Personal Taxa | |
| Contract Dated | 2000 | 2004 | 2000 | . 200 | | 2017 | 200s | 200 | 22 | 3911 | 20-12 | 26-13 | 3941 | 200 | 2000 | 28-T7 | 2000 | 240 | 200 | | | | |
| No see | | 2 | 0 | -2 | - 6 | 0 _ | _ 2 | | 1 | 0 | | 2 | | 1 1 | | | | L | 1 | 0 | | Morrow, | . г.:: |
| To veri Opoter Gee Brotherd Land Gee | = = | 9 = = | 0 E = | 4 = : | = 8± : | = = | = 1 | = = 8 | # = = | E = = | | | | # = = : | | | = = | | # = = | perden OPUD morrow | pro-devolution | Register Com Photosod Lancill Com | |
| and Titles And Solid Weste | | 0 | - P | | = #F = | = = = | | = = 5 | # = = | 6 = = | 3 = = = | 5 = = | 5 = = | $\Xi \equiv \Xi$ | F | | = = | 5 = : | F = = | E = = = = | F = = = = = | Literate One | and a |
| Muni Sodd Weets Geoffermal Small Hydro Condult Hydro | | 8 = = | : = = | 3 = : | - 91 : | = = | - 2 | = = 3 | 4 | | | | | 4 ! | F = = | | | | # = = | | | San Sald Weeks Sand Heats Sand Heats Sand Heats | - be sto |
| Quebit Hydro | == | <u> </u> | : E | 1 = 1 | = # : | = = = | = 8 | = = 3 | # = = : | | [= = = | 5 = = - | | # = = : | | | = = | | # = = | | | Constitution | NPS (|
| Solar Formal Whol Committee | | 0 | 0 | 1 | 0 | 6 _ | - 0 | === | # = = # | 0 | 0 = = = | 0 | | 4 = = 1 | | | | 6 - 1 | # = = # | | | Solar Pd/ Solar Thermal Whed Goosev/Rdel | - 1 |
| Com/Red | | 8 | 0 | - 8 | 8 | - 6 - | - 0 | | 31 | 0 | 0 | 0 | | 31 1 | | | 3 | 1 | 31 | | | Occurv/Tebal | Long |
| 2 Contracts | | 8 | 8 | - 81 | - 8 | - 81 | - 8 | _ | 3 | 8 | 8 | 8 | - | 1 | | | 3 | 1 | 3 | 8 | | Fuel Caffe | Control - I mg - Stort - Nor I or ofter - Black plants |
| Contract Name & Contracts | | 8 | 0 | 8 | 8 | - 8 | - 8 | - | | 0 | 8 | 8 | | | | | | 9 | | 8 | | | Basi |
| Contract Name - Contracts | | Ŷ. | 0 | Ŷ. | 0 | 8 | - 8 | - | | Ď. | Ò | į. | | | | | | | | i e | | | -11 |
| Contract Name 6 Contracts | | Ŷ. | 8 | ž. | ě, | , g | - 8 | | | 2 | 8 | 2 | | | | | | 8 | | Contract Status | Feeling Books | Resource Type | Contract |
| Contract Name © Contracts | | 0 | 0 | ě . | ő | ő | 0 | | | ő | Ŏ | ő | P | | | 0 | | 0 | | 000000000000000000000000000000000000000 | The same | ~800000 200 | wer. |
| Contract Norte // Contracts | | 0 | 0 | 0 | 0 | 0 | 0 | | | 0 | 0 | 0 | 0 | | | b | | 0 | | 0 | | | |
| 7 Contracts Contract Norm Contract Norm | | 0 | 0 | 9 | 0 | 0 | - 0 | | | 0 | 2 | 2 | | | | 0 | | 9 | | | | | 1 - |
| Contract Name | | 0 | 0 | 8 | 0 | - 6 - | 0 | | 7 | 0 | 0 | 0 | 0 | 7 | | D I | | 6 | 7 | 0 | | | _ |
| Contract Norm | | 8 | 0 | | - 6 | 6 - | - 6 | | | | S | 0 | | + | | | | b | | | | | + - |
| Contract Name Contract Name | == | <u> </u> | <u> </u> | 1 = 1 | - 94 - | | - 81 | = = 5 | # = = # | 6 = = = | [= = = | ! = = : | | # = = # | === | | = = | # = = ! | # = = : | | ===== | ==== | # = |
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| erio Future Contracts | | 8 | 8 | 8 | 8 | 8 | - 8 | 109 | 2,29 | | 0 1,46 | 1,8 | 100 | 1,911 | 1,64 | 1,04 | 1,0 | \$ 150 | 1,68 | rotes | | No. | |
| Sprante Chapter Com Sprante Machand | = = | ž = = | 0 = = | - i | | = = i = | = # | = = = | 520 | 129 | = = 4 | Ē = 3,4 | 300 | = 100 | | = = | = =0.04 | 300 | - Ta | | ===== | Rower On Robert On Robert potti On Lini Sald Waste | 1 |
| Sprovic Largelli Com | | 9 = = | 0 | 9 = | - 94 - | = - - | - 9 | = = " | 4 | o | S = -1/2 | 2 = = | P = -300 | ± = ¥7 | _ V2 | | | 0 | 1 - W | | 1 | (profits Opp. | 1 |
| Sprovic Muni Solid Wasto Sprovic Goodpormi Sprovid Small Hydro | = = | 0 | 8E = | i = : | - 84 - | | = 0 | = = 8 | = = # | e = = | 3 = = = | i = = | = = | # = = # | | | = = | | it = = 1 | ===== | E = = = = = | Gentleman | - |
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| General Conduit Herito Senario Solar PV Generio Solar Thermal | | 0 | | | - 94 - | 8 | - 8 | = = 3 | | <u> </u> | 2 | 8 | | 3+ 5 | | | | 8 ! | # = = : | <u> </u> | ===== | Solar PV | 1 |
| Spranto Stoke Thormal Spranto Wind | = = | <u> </u> | 0 = = | 1 = : | | = - | _ P | = = 3 | # = = # | | | 5 = = | | # = = : | | | | # = = ! | # = = # | | | *** | 1 |
| Sprack Ward Sprack Cosm/Tobi Sprack Fool Call red Contractal Contracts Franking Refore 2009 Contract Nation | | } | - 8 | | - 8+ - | 8 - | - 8 | 5 | + | <u> </u> |] | 8 | | + | | | | | + | | | Ocean/Resi Fuel Code Resource Total | 1 |
| Contract Home | | 8 | 8 | 8 | - 8 | - 8 | - 8 | | 5 | 8 | 8 | 8 | | | | | | 1 | | TORES. | | Mesource Total | - |
| | | 0 | 0 | | - % - | 2 - | - 9 | 5 | # = = | 0 | 3 | 8 | | 3 = = 1 | | | | 8 : | 3 = = | 8 <u></u> | E = = = = | | - |
| princi Hero princi Hero princi Hero princi Hero | | | | | | | | | | | | | | | | | | | | | | | |

RPS Compilance Report: Performance Chart Mountain URRise' Aug. 5, 2009

| | | | | el MWh | | | | Forecest M Wife | | | | | | Forecast M Wh | | | | |
|-----------------------------------|-------|------|-------|--------|-------|-------|-------|-----------------|-------|-------|-------|-------|-------|---------------|-------|-------|-------|-------|
| RPS Procurement and Targets (MWh) | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2018 | 2017 | 2016 | 2019 | 2020 |
| Total Retail Sales | 8,387 | 8,8 | | 6,913 | 8,493 | 6,253 | 8,269 | 8,285 | 6,301 | 8,317 | 6,333 | 6,349 | 8,385 | 6,381 | 6,397 | 8,413 | 6,429 | 8,445 |
| Actual RPS Procurement % | 8.0% | 8. | 6.09 | 6.0% | 8.0% | 8.0% | 8.0% | 35.5% | 23.8% | 23.0% | 23.8% | 23.8% | 23.8% | 23.8% | 23.8% | 23.8% | 23.8% | 23.8% |
| IPT | NA | | 84 70 | 69 | 89 | 85 | 69 | 735 | 3 | 3 | 3 | 3 | | 3 | 3 : | 3 : | 3 | 3 |
| APT % (Basoline for 2009) | WA | WA | WA | :N/A | 5.4% | 5.4% | 8.3% | 20.0% | 20.0% | 20.0% | 20.0% | 20.0% | 20.0% | 20.0% | 20.0% | 20.0% | 20.0% | 20.0% |
| APT as MWh Amount | N/A | N/A | NA | :N/A | 372 | 457 | 518 | 1,254 | 1,257 | 1,280 | 1,283 | 1,287 | 1,270 | 1,273 | 1,278 | 1,279 | 1,283 | 1,286 |
| Proliminary Surplus/(Doficit) | N/A | N/A | N/A | N/A | (372) | (457) | (518) | 969 | 239 | 190 | 241 | 240 | 241 | 242 | 243 | 244 | 243 | 244 |



RPS Compliance Report: Calculations

| RPS E | RPS Baseline Inputs (MWh) | | | | | | | | | |
|----------|---------------------------|--|--|--|--|--|--|--|--|--|
| Line# | Calculation | Notes | | | | | | | | |
| 1 | User supplied data | Pursuant to D.07-03-046, the 2003 Initial Baseline Procurement Amount for the investor owned utilities (IOUs) is | | | | | | | | |
| <u>2</u> | User supplied data | calculated using the following equation: | | | | | | | | |
| <u>3</u> | User supplied data | 2001 RPS Eligible Procurement X 2003 Total Retail Sales + 1% of 2001 Total | | | | | | | | |
| 4 | Baseline formula = | 2001 Total Retail Sales Retail Sales | | | | | | | | |

| RPS Procure | ement and Targets (MWh) | |
|---------------|--|---|
| Calc | culation | Notes |
| 5 User | r supplied data | Annual Retail Sales |
| 6 Data | from "Procurement Detail" tab | In current and past years, this line should equal Total RPS Eligible Procurement in procurement detail tab. |
| 7 Prior | r year Line 7 + Line 8 | |
| <u>8</u> 1% (| of line 5 (Y-1) | |
| | 6 - Line 7 | |
| | 7 / Line 5 {Y-1} | |
| 11 Line | 6 / Line 5 {Y-1} | In 2003, 2003 RPS procurement is divided by 2001 retail sales rather than 2002 retail sales. |
| 12 (Line | e 6 + Line 17 + Line 25 + Line 30 + Line | RPS procurement percentage after applying flexible compliance, assuming all allowable planned deliveries |
| 34+ | Line 36) / Line 5 (Y-1) | come online as planned. |

| Flexib | le Compliance - IPT Deferral | |
|--------------|--|---|
| | Calculation | Notes |
| <u>13</u> | Up to 0.25% of Prior Year Retail Sales | In 2007, 100% of the IPT can be deferred for up to 3 years without explanation. |
| <u>14-16</u> | User supplied data | |
| <u>17</u> | Sum of Lines 14:16 | Current year deficit carried forward. Warning if cell value is greater than Line 13. |
| <u>18-20</u> | Record of Lines 14:16 | Deferred IPT obligations due in current year. |
| <u>21</u> | Sum of Lines 18-20 | Total deferred IPT obligations due in current year |
| <u>22-24</u> | User supplied data | Past year IPT obligations retired with current year surplus procurement. Per accounting rules D. 06-10-050, Attachment A, page 9-10, current year deliveries may only be applied to past year IPT deficits after earmarked deliveries have been subtracted, and after any deliveries needed to meet current year APT have also been subtracted (D.03-06-071), Conclusion of Law 25). |
| <u>25</u> | Sum of Lines 22-24 | Total current year surplus applied to prior year IPT obligations due in current year |

| Flexible Compliance - Earmarking | |
|---|---|
| Calculation | Notes |
| 26 Line 9 + Line 13 + Line 34 | Portion of current year deficit greater than allowable IPT Deferral |
| 27-29 Data from "Earmarking Detail" tab | User supplied data from "planned" column in respective year |
| 30 Sum of Lines 27:29 | |
| 31-33 Data from "Earmarking Detail" tab | User supplied data. Current year deliveries may only be applied to past year deficits which have been deferred by earmarking, after current year APT has been met (D.03-06-071), Conclusion of Law 25). |
| 34 Sum of Lines 31:33 | Total current year surplus subtracted to meet prior years Earmarking obligations due in current year |

| Surplus Procurement Bank | |
|------------------------------|--|
| Calculation | Notes |
| 35 Line 38 (Y-1) | |
| 36 User supplied data | |
| 37 Line 9+ Line 25 + Line 34 | Current year surplus procurement less any prior year IPT obligations and/or Earmarking obligations |
| 38 Sum of Lines 35:37 | |

| Adjus | ted Deficit | |
|-----------|---|--|
| | Calculation | Notes |
| <u>39</u> | Line 9 + balance of IPT obligations after 3 | In any current year, the adjusted annual procurement deficit is the LSE's annual deficit less any deliveries |
| | years + balance of Earmarking obligations | used to meet IPT or Earmarking obligations for prior years deficits. Any portion of adjusted annual |
| | after 3 years | procurement deficit that remains after the following three years is subject to penalty. |
| 40 | Balance of IPT obligations after 3 years + | In any current year, the adjusted deficit temporarily excused is the sum of IPT deferral and Earmarked |
| | balance of Earmarking obligations after 3 | deliveries (line 17+ line 30). Any portion of line 40 remaining after 3 years will be reflected in line 39 and subject to penalty. |
| 41 | Line 39 * \$50.0 | Per accounting rules, LSEs must list penalty based the size of on adjusted annual procurement deficit, even if allowable reasons are being given for why the penalty is not yet due and payable. Penalties are assessed at \$0.05/kWh deficit. |
| <u>42</u> | (Line 39 + 40) * \$50.0 | LSE's have the opportunity to make up annual procurement deficits through existing flexible compliance rules. Accordingly, if an LSE has a deficit in year 1, and is able to fully exercise flexible compliance mechanisms, the |
| | | penalty for year 1 compliance may not apply. |

OFFICER VERIFICATION FORM

I am an officer of the reporting corporation herein, and am authorized to make this verification on its behalf. The statements in the foregoing document are true of my own knowledge, except as to matters which are therein stated on information or belief, and as to those matters I believe them to be true. The spreadsheet format used to file this compliance report has not [has] been altered from the version issued or approved by Energy Division [, with the alterations described in this report].

I declare under penalty of perjury that the foregoing is true and correct.

Executed on Aug 5, 2009 at Fairfield, California.

(Date) (Name of city)

John Dutcher V.P. - Reg. Affairs

(Signature and Title of Corporate Officer)

John Wutcher

CERTIFICATE OF SERVICE

I hereby certify that on August 5, 2009, I served a copy of Mountain Utilities' (U 906 E) Renewable by delivery service, by email to recipients requesting it, or by mailing a properly addressed copy with first-class postage prepaid to:

The attached Mountain Utilities Mailing List.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated this 5th day of August, 2009, at Fairfield, California.

John Dutcher Vice-President, Regulatory Affairs

John Wutcher

3210 Corte Valencia Fairfield, CA 94534

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